

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	BK. No. 14-10408 AMC
ROBIN L. HOLLAND	:	
A/K/A ROBIN L. HOLLAND PERALTA	:	Chapter No. 13
Debtor	:	
	:	
SETERUS, INC.	:	
Movant	:	
v.	:	11 U.S.C. §362
ROBIN L. HOLLAND	:	
A/K/A ROBIN L. HOLLAND PERALTA	:	
Respondent	:	

**MOTION FOR RELIEF FROM THE STAY IN ORDER TO PROCEED WITH LOAN
MODIFICATION**

Movant, by its attorneys, Phelan Hallinan Diamond & Jones, LLP, hereby requests a modification of the Automatic Stay and leave to obtain a loan modification on its mortgage on real property owned by Debtor.

1. **WILLIAM C. MILLER**, Esquire was appointed the standing Chapter 13 Trustee.
2. Debtor currently has a mortgage with **SETERUS, INC.** The property address is 987 HICKORY RIDGE DRIVE, CHALFONT, PA 18914-4419.
3. Debtor has applied for a loan modification with Movant.
4. The loan modification has been approved contingent upon Bankruptcy Court approval.
5. The terms of the modification are as follows: The new principle balance is \$281,699.89, with an interest rate that starts at 4.875% effective March 1, 2016. Monthly payments of principal and interest will begin in the amount \$1,335.11. Escrow may be added to this sum. A copy of the loan modification is attached hereto as exhibit "A".
6. Approval and recording (if applicable) of the loan modification shall not constitute a violation of the automatic stay.

7. Movant has cause to have the Automatic Stay modified as to permit Movant to complete the loan modification of the Debtors' mortgage.

8. Movant specifically requests permission from this Honorable Court to communicate with the Debtors and Debtors' counsel to the extent necessary to comply with applicable non-bankruptcy law.

9. Rule 4001 (a)(3) should not be applicable and Movant should be allowed to immediately enforce and implement the Order granting modified Relief from the Automatic Stay for the limited purpose of completing the loan modification of the Debtors' mortgage

WHEREFORE, Movant respectfully requests that this Court enter an Order;

a. modifying the Automatic Stay under Section 362 with respect to **987 HICKORY RIDGE DRIVE, CHALFONT, PA 18914-4419 for the limited purpose of completing the loan modification** (as more fully set forth in the legal description attached to the Mortgage of record granted against the Premises), as to allow Movant, its successors and assignee's, to proceed with its rights under the terms of said Mortgage for the limited purpose of completing the loan modification of the Debtors' mortgage; and

b. granting Movant permission to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law for the limited purpose of completing the loan modification of the Debtors' mortgage; and

c. holding that Movant should be allowed to immediately enforce and implement the Order granting relief from the automatic for the limited purpose of completing the loan modification of the Debtors' mortgage; and

d. that Rule 4001(a)(3) is not applicable and **SETERUS, INC.** may immediately enforce and implement this Order granting limited Relief from the Automatic Stay.

/s/ Paul Cressman, Esquire
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May 6, 2016